



STATE OF CONNECTICUT

STATE DEPARTMENT OF EDUCATION



Connecticut General Assembly Education Committee Testimony of Deputy Commissioner Charlene Russell-Tucker March 3, 2021

Good morning Senator McCrory, Representative Sanchez, Senator Berthel, Representative McCarty and members of the Education Committee. I am Charlene Russell-Tucker, Deputy Commissioner at the Department Education, and I am pleased to have an opportunity to testify before you today regarding a series of important education-related proposals on your agenda.

H.B. No. 6534, An Act Concerning Emergency Action Plans For Interscholastic And Intramural Athletic Events

The Department fully supports this concept and we believe similar plans are already in place within school athletic programs. The care and safety of students, including during interscholastic and intramural athletic events, continues to be a priority for the Department. Having a specific plan for how schools will respond to serious and life-threatening sports-related injuries that occur during interscholastic and intramural athletic events ensures that students, parents, staff and emergency health care providers are aware of and coordinating urgent care for students in case of serious emergencies. We would like to note that this may result in a capacity issue for districts to develop these plans without additional resources.

H.B. No. 6535, An Act Concerning Issues Relating To School Security

The Department agrees with the content of this proposal and the need for the examination of the role of school resource officers in schools, however we currently do not have the resources or the personnel to chair this group and stand up the necessary data collection called for in the working group charge. If this proposal were to pass, the Department would need additional resources to complete the activities outlined for the Department. Additionally, the Department of Emergency Services and Public Protection (DESPP) should assist in the development of the statewide plan as that agency is charged with collecting School Safety and Security Plans. We would also request a deadline of January 1, 2023, as being more realistic for the development of a statewide plan by the Department and DESPP and July 1, 2022, for the report on School Resource Officers.

S.B. No. 945, An Act Implementing The Recommendations Of The Department Of Education

Section 1 lowers the age for the planning of transition services for all students with individualized education programs (IEP's). The proposed change will require a statement of transition service needs in a student's IEP where determined appropriate by the planning and placement team (PPT), beginning no later than the date in which the first IEP takes effect for a child who becomes 14 years of age, regardless of their disability category. This would be a change from current law which requires IEPs plan transition services at age 14 for students with IEPs who are diagnosed as autistic, and at age 16 for

all other students with IEPs who are not identified as autistic. We believe this change will bring the statute into line with current practice within districts.

Section 2 changes the way written competency for both English and the other required language is measured as it relates to the bilingual educator certificate. Currently, competency in both languages are measured by the successful passage of an essential skills test approved by the State Board of Education. This change would allow for a candidate to substitute a degree earned at a college or university where the language of instruction is English in lieu of taking the test. It would allow for the same substitution for the other required language, if the college or university used that primary language of instruction.

Additionally, this section reconfigures the grade spans for which the elementary bilingual education certification is valid. The grade spans being proposed are K-9 for elementary and 4-9 for middle grades, as opposed to the current more limited endorsement. Authorizing elementary bilingual teachers to serve students in grades K-9 and middle grade bilingual teachers in grades 4-9, improves district flexibility to create multi-age groups that better serve the academic needs of these students.

Lastly, this section creates two new secondary bilingual endorsements for Science, Technology, Engineering and Math (STEM) classes and for humanities. Currently, eligibility for secondary bilingual certification requires coursework for a specific content area, as well as coursework and testing for bilingual, which is both expensive and time consuming. In an effort to address severe shortage areas for bilingual certification, this reduces the number of credits required. This proposes for either humanities or STEM, that upon the completion of 15 semester hours of credits in combined content coursework in either area, a certified bilingual educator can teach either humanities or STEM in a bilingual program. Similarly, for certified educators completing 15 semester hours of credit in combined coursework in either area, along with the required coursework and testing for a bilingual endorsement, a certified bilingual educator shall be eligible to teach secondary humanities or STEM in the bilingual program.

Section 3 recommends expanding access to Connecticut's Resident Educator Certificate by removing GPA & testing barriers and expanding access to state board approved Masters of Teaching (MAT) programs, which are not currently allowable for qualification to receive the certificate.

Sections 4 & 5 make a technical change pertaining to fingerprinting statutes. State law mandates that school employees have national criminal history record checks performed, which requires access to the Federal Bureau of Investigation (FBI) database. The FBI requires that state statutes mandating background checks for school employees list government and non-government entities separately. The FBI classifies charter school governing boards and cooperative arrangements as non-public, so this proposal removes those governing boards from the government/public list and makes conforming changes to the non-government/non-public list.

Section 6 is being proposed as a result of input from the Department of Emergency Services and Public Protection and the Federal Bureau of Investigation (FBI). It pertains to background checks for charter school governing council members and charter management organization members. Under this proposal, these entities will still be required to conduct background checks, however they will not include access to FBI criminal history information. This proposal will have no effect on background

checks for charter school employees, who will still be required to be required to have their fingerprints taken and background checked performed by the FBI.

Section 7 stems from a recommendation made by the Auditors of Public Accounts as a result of the circumstances that lead to the closure of the Path Academy. This will allow the State Department of Education to institute a civil action against any person, firm, corporation, business, or charter management organization that it has reason to believe misused state funds. Furthermore, it allows the Attorney General Office to pursue the matter if it so chooses.

Section 8 is a resubmission from last year and clears up conflicting statutory language pertaining to the appointment of the Connecticut Technical Education and Career System (CTECS) superintendent. Currently there are two conflicting methods outlined in statute, which could result in a delay in the appointment of a new superintendent if necessary.

Section 9 eliminates the current subsection (c) of 10-76q. Proposed new language in subsection (c) requires that prior to a student being enrolled in a technical high school, the local or regional board of education where the student applicant resides must convene a planning and placement team meeting. The purpose of the meeting is to address the student's transition to the technical high school and ensure that the student's individualized education program reflects the current supports and services that the student requires in order to access a free and appropriate public education in the least restrictive environment. It would be required for a representative from the technical high school to be invited to such meeting.

Section 10 removes obsolete statutory language regarding the Academic Advancement Program. The 2013 legislation allowing local boards of education to determine eligible credits based on the demonstration of mastery, made this statute irrelevant.

Section 11 removes obsolete statutory language regarding continuing education classes. In 2013, legislation was passed that no longer requires districts to report all professional learning offered, for the purposes of tracking continuing education, to the Department. However, it did not remove the requirement for us to collect the data. Therefore, currently, we gather this information in form of self-reported district surveys that are not reliable.

Section 12 removes obsolete or duplicative reporting requirements.

S.B. No. 946, An Act Concerning The Minimum Budget Requirement

The Department is in complete support of the language disallowing supplemental COVID related aid to permanently become part of the Minimum Budget Requirement (MBR) baseline, however we believe it is missing a section outlining ways in which districts can realize MBR relief. We would be happy to work on this proposal with the Committee moving forward.

S.B. No. 947, An Act Establishing A Working Group To Review The Effects Of The Education Cost Sharing Grant Formula On Small And Rural Towns

The Department is not opposed to this concept, however we cannot support this proposal at this time. Essentially the issue is one of agency capacity. To staff and lead this study in the midst of the

significant additional workload that has been created by the Coronavirus pandemic is not possible. In addition to the myriad of supports the Department is providing to school districts during the pandemic, our fiscal staff is particularly occupied processing COVID-19 relief funding. To date, the Department has received a 26% increase in federal funding, which we have been required, and continue to, distribute and manage over the last 10 months. If an additional aid act passes the Department's workload, will only increase. If the legislature decides to move forward with this legislation, we would request an extension of the timeline to no earlier than July 1, 2022.

S.B. No. 948, An Act Addressing Education Funding And Racial Equity In Connecticut

The Department cares very deeply about racial equity and equity in educational funding, however we cannot support this proposal as it is currently written. This bill would require fully funding the ECS formula beginning in Fiscal Year 2022, while allowing for the continued phase out of districts losing money under the formula, so they would not lose all of the funding in the first year of implementation. This would require hundreds of millions of additional dollars in the education cost sharing (ECS) grant line item that are currently not included in the Governor's budget.

This proposal also modifies the weightings for the calculation of Free and Reduced Priced Lunch in the ECS formula for student counts in districts with high concentrations of poverty, while simultaneously increasing the weight for English Learner students. Both of these proposals are well intentioned, however, ECS revenue is transferred to towns as general revenue to offset the costs associated with operating the local schools. Therefore, as a practical matter we cannot dictate how the funds are used to ensure districts are achieving the intended outcome of providing additional support to high need students. This proposal directs significant additional resources to school districts and should be accompanied by accountability metrics that help us understand how the increased funding is utilized and whether it accomplishes our joint goals of improving student outcomes.

Lastly, this proposal changes the funding mechanism for Choice programs including, charter schools, magnet schools, the Open Choice program and the vocational agricultural science programs. It would also forbid magnet school operators from charging tuition from sending districts. This would limit the revenue received by magnet operators, particularly in the Sheff Region. In order for the Department to fully comment on this proposal we will need to review the simulations for distribution.

S.B. No. 949, An Act Concerning The Establishment Of A Money-Follows-The-Child Approach To Funding Public Education

This bill attempts to change the way in which choice programs are funded by splitting the cost between the state and the home district. The set amount a choice program would receive for each student would be equal to the ECS foundation amount of \$11,525 per pupil. The split between the state share of the per pupil grant and the local share would be determined based on the amount the state sends the home district in the ECS per pupil allotment. The balance of what the state does not cover would be the responsibility of the home district. For example, if a district's ECS per pupil grant was \$2,000, the state would pay that amount to the choice program and the district would be responsible for paying the balance of \$9,525. However, the bill specifically excludes the magnet and open choice students from the home district's ECS resident student count even though the home district is responsible for the balance of the per pupil grant. It also forbids the programs from charging tuition. This would limit the charter schools and Regional Educational Service Center (RESA) operated magnets to spending the

\$11,525 in addition to any federal or private funds they raise. While this would be a small increase for the charters it could be a significant revenue loss for the RESC operated magnets. Furthermore, we believe this proposal may create a hardship for sending districts. In many cases they do not currently pay any tuition for their students attending magnet programs, nor do they currently pay tuition to the charter schools. Depending on the funding implications for districts, this could have a long-term impact on the future of choice programs. In order for the Department to fully comment on the potential impact of this proposal it would be helpful to see district-level simulations by program.

S.B. No. 886, An Act Implementing The Governor's Budget Recommendations Concerning Education

Governor Lamont's budget proposal has made improving access to Open Choice programming, bolstering workforce development, and diversifying the teaching profession top priorities, as he outlined in his budget address on February 10th. Creating the best-trained, best-educated workforce in the world that is prepared to fulfill Connecticut employer demand, and ensuring students have broad access to employment opportunities, starts with getting our high school students through the higher education door, which is why we are particularly pleased that Governor Lamont's proposal increases postsecondary enrollment, particularly for first-generation, low-income, and minority students. It ensures that our high school students complete the student aid applications which will bring millions of additional federal dollars into the State, as the Governor outlined in his address.

The Governor's budget proposal for the Education Cost Sharing (ECS) grant continues his commitment to education. At a time of great uncertainty at the state and local level regarding anticipated fluctuations in tax revenue, districts can count on a firm commitment by the state to maintain their current levels of education funding. In addition, this means districts will not be negatively impacted by shifts in enrollment and student poverty measures that were revealed in their October 1, 2020, student enrollment filing with the department. We encourage local municipalities to make a similar commitment, and as such, we have proposed the extension of the Minimum Budget Requirement as a safety net for school districts.